

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DANIEL GARCIA,

Plaintiff,

-v.-

EVANS DELIVERY COMPANY, INC.,
CENTURY EXPRESS, A DIVISION OF
EVANS DELIVERY COMPANY, INC.,
KUEHNE & NAGEL, INC., and
DAVIDSON INDUSTRY SPA,

Defendants.

20 Civ. 7801 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

Plaintiff originally filed this action in the Supreme Court of the State of New York, County of Bronx, on August 5, 2020. (Dkt. #1-1). Defendant Direct Chassislink, Inc. removed to this Court on September 22, 2020. (Dkt. #1). Defendants Textainer Group Holdings Limited and Direct Chassislink, Inc. were voluntarily dismissed on October 8, 2020. (Dkt. #6). On October 22, 2020, Defendant Evans Delivery Company, Inc. filed a motion to transfer venue to the United States District Court for the District of New Jersey. (Dkt. #9). Plaintiff filed an Amended Complaint on October 30, 2020, naming as defendants Evans Delivery Company, Inc., Century Express, a Division of Evans Delivery Company, Inc., Kuehne & Nagel, Inc., and Davidson Industry Spa, and dropping as a defendant American Lumber Corporation, Inc. (Dkt. #14). Plaintiff has now filed a letter notifying the Court that he does not oppose Defendant Evans Delivery Company's motion to transfer this matter to the District of New Jersey. (See Dkt. #18).

28 U.S.C. § 1404(a) provides that “[f]or the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented.” The Court has reviewed the Amended Complaint and agrees with Defendant Evans Delivery Company, Inc. that the majority, if not all, of the relevant conduct and events giving rise to the claims in this action occurred in the District of New Jersey. Plaintiff’s consent to transfer further supports the appropriateness of this course of action. The Court is confident that the District of New Jersey will be able to fairly and efficiently adjudicate this case.

Accordingly, this action is hereby ORDERED transferred to the United States District Court for the District of New Jersey, pursuant to 28 U.S.C. § 1404(a).

SO ORDERED.

Dated: November 12, 2020
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge